

Arthur B. Choate L-024406-4P-A-N // Appeal

Documentation from the Department's license record

- **Dept. of Marine Resources (DMR) comments (February 9, 2009)**
- **Applicant's (Choate) response to DMR comments**
- **Maine Dept. of Inland Fisheries & Wildlife comments (January 25, 2009)**
- **Maine Historic Preservation Commission comments / Robin Stancampiano (December 18, 2008)**

TO: **Beth Callahan, Project Manager**
Dept. of Environmental Protection,
Bureau of Land & Water Quality

FROM: Department of Marine Resources (DMR)

SUBJECT: REQUEST FOR PROJECT REVIEW,

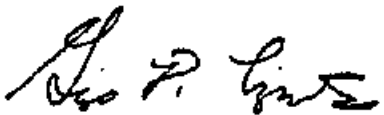
PROJECT: DEP Application #: L-24406-4P-A-N
Applicant: Arthur B. Choate
Location: Islesboro (East Penobscot Bay)
Type of Project: Pier, Ramp & Float

The above proposed project has been carefully reviewed and considered by DMR personnel.

DMR understands that the applicant is proposing to construct a 5 ft. x 70 ft. pier to extend from above Mean High Water (MHW) to 10 ft. above Mean Low Water (MLW). This would be supported on ledge above MHW and by a 10 ft. x 10 ft. granite block pier pinned to ledge near the seaward end of the pier. This support would be constructed in "open" fashion using blocks from the adjacent subtidal to the north, the remains of an old pier. The pier would have an E - W orientation with an average deck height of ~ 10 ft. above the intertidal substrate. A 3 ft. x 40 ft. ramp would connect to a 15 ft. x 25 ft. float oriented parallel to the pier and ramp to provide ~ 6 ft. of water at MLW according to the permit application. Two sets of three piles would be installed at the inboard end of where the float would be to secure it.

Upland of the proposed project site is developed with a house with some trees along the shore. The supratidal is ledge. The intertidal is a continuation of the supratidal ledge, ~ 70 ft. wide, with moderate rockweed cover. The granite blocks to be re-used are exposed at low tide and have rockweed attached. The permit application states that eelgrass is "absent".

This project as proposed should not cause any significant adverse impacts to marine resources, traditional fishing, recreation, navigation, or riparian access. Attached marine vegetation on the granite blocks to be re-used should be kept in tack and on the outside of the new pier support to the extent possible.



GEORGE D. LAPOINTE
COMMISSIONER OF DMR
Date: February 9, 2009

Callahan, Beth

From: William T. Lane [wlane@gartleydorsky.com]
Sent: Monday, February 23, 2009 10:09 AM
To: Callahan, Beth
Cc: Steve Smith; paul@gibbons.midcoast.com; Doug Miller
Subject: RE: Choate - DMR comments

Hi Beth,

Thanks for forwarding DMR's comments. I agree with DMR's recommendation. We will add the suggested text to the construction plan as follows:

Attached marine vegetation on the granite blocks to be re-used should be kept in tack and on the outside of the new pier support to the extent possible.

I hope this is satisfactory. Please let me know if there is any additional information you may require.

With regards,

Bill

William T. Lane, P.E.

Gartley & Dorsky Engineering & Surveying, Inc.
PO Box 1031
Camden, ME 04843
Tel: (207) 236-4365
Fax: (207) 236-3055

gartleydorsky.com

From: Callahan, Beth [mailto:Beth.Callahan@maine.gov]
Sent: Friday, February 20, 2009 3:01 PM
To: William T. Lane
Subject: Choate - DMR comments

H Bill,

Attached are DMR's comments regarding the Choate pier application in Islesboro. Would you please look them over and let me know what you think. The main thing that DMR is requesting is that all attached marine vegetation on the granite blocks from the existing structure should remain intact, and be placed on the outside of the new pier support.

I can't leave that comment open-ended, so if you respond back with your acknowledgement/thoughts/etc. for the file, that would be great.

Thanks,

Comments - Environmental Project Review	
Maine Department of Inland Fisheries and Wildlife	
Wildlife Division Comments – Region B	
Applicant's Name: Arthur Choate	
Project #: L-24406-4P-A-N	Regulatory Agency: MDEP
Project Type: NRPA	Project Manager: Callahan
Comments Due Date: 01/09/09	Date Comments Sent: 01/25/09
Project Location	
Town: Isleboro	County:
Waterbody:	
Wildlife Biologist: Kemper	

After review of the application and consideration of the proposal's probable effect on the environment, and on our agencies programs and responsibilities, we provide the following comments:

I. Project Description/Resource Affected: Applicant proposes to construct a 5' x 70' crib supported pier with a seasonal 3' x 40 ramp leading to a 15' x 25' seasonal float. There are no Essential or Significant Wildlife Habitats associated with this proposal.

II. Comments/Recommended Considerations or Conditions:

Wildlife Considerations:

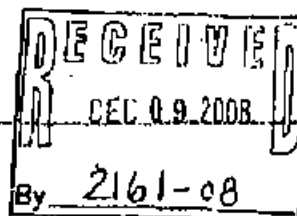
Tree and vegetation removal along the shore should be kept to an absolute minimum in order to maintain riparian wildlife habitat. No large tree removal should be allowed in order to facilitate construction of the pier.

Fisheries Considerations:

Will be responding separately.

Stancampiano, Robin

From: Doug Miller [dmiller@gartleydorsky.com]
Sent: Tuesday, December 09, 2008 3:01 PM
To: Stancampiano, Robin
Cc: William T. Lane; Steve Smith Arch - Steve Smith (sgsmith@sgsmitharchitects.com); paul@glbbons.midcoast.com
Subject: MHPC 2161-08 Choate Pier Islesboro ME
Attachments: DSCN0971.jpg; DSCN0969.jpg



Robin, please accept the attached photographs of the subject site, as requested.

Please call with questions or comments.

Doug Miller

Project Manager

Gartley & Dorsky Engineering & Surveying, Inc.

PO Box 1031

Camden, ME 04843

Telephone 207-236-4365

Facsimile 207-236-3055

www.gartleydorsky.com

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Kirk F. Mohney
Kirk F. Mohney,
Deputy State Historic Preservation Officer
Maine Historic Preservation Commission

12/18/08
Date

Callahan, Beth

From: Stancampiano, Robin
Sent: Friday, March 06, 2009 12:07 PM
To: Callahan, Beth
Cc: 'shawn.b.mahaney@usace.army.mil'; Mohny, Kirk; 'blane@gartleydorsky.com';
'paul@gibbons.midcoast.com'
Subject: MHPC #2161-08 Arthur Choate, islesboro

MHPC# 2161-08

Beth-

Regarding the above project, Lee Cranmer, our historic archaeologist, and I met today with Bill Lane, Gartley & Dorsky Engineering, and Paul Gibbons, Gibbons & Calderwood LLP, to review plans, a historic drawing and photographs of the existing remains of the wharf's granite blocks.

Based on our review, our no historic properties affected finding of December 18, 2008 stands as is. No further review is required by our office.

Thank you for your consideration of historic properties.

Let me know if there are any questions.

Robin Stancampiano
Architectural Historian
--Review & Compliance/CLG Coordinator
Maine Historic Preservation Commission
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